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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/628,217

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EXAMINER

KIANERSI, MITRA

ART UNIT

PAPER NUMBER

2145

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/628,217	<b>Applicant(s)</b> ERICKSON ET AL.	
	<b>Examiner</b> MITRA KIANERSI	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/02/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter) because claims 1-30 are directed to a "A program product comprising computer readable program code," which is deemed software per se, and therefore considered disembodied functional descriptive material. A computer software application per se does not define any structural and functional interrelationships between the computer application and other claimed elements of a computer which permit the computer application's functionality to be realized.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Vogt et al. (PG Pub 2003/0028595), hereinafter referred to as Vogt.

Claims 1 and 16: An article of manufacture in computer readable form comprising computer readable program code means stored for performing in a computer system a method for providing an online collaborative environment for at least one user, computer

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readable program code means for causing a computer to effect the method comprising the steps of: A browser-enabled system of software and services that focuses on connecting people across spatial, temporal, and organizational barriers to achieve specific objectives. The system includes a client server system that provides a virtual meeting place for a learning community and a structure through which that community can achieve its goals. (Abstract)

a) creating an instance of an online meeting, the instance including phases, and an agenda of the meeting's phases; [006], [007]

b) receiving input from at least one user, (claim 13 discloses a system wherein the data input means are adapted and constructed to receive a member contribution comprising a link to data stored in the data storage means or outside of the data storage means).

c) depicting said input in a graphical representation including a set of objects; (A people page depicts user status, which users are currently on line, and what pages they are viewing. Measuring and monitoring the community's health and taking corrective action (as needed) is critical for a community to achieve its (or the sponsoring organization's) objectives. A climate system combines quantitative and qualitative (implicit and explicit) capture. A relationship status graph shows conversational and relationship clusters within the community [0034]

d) forwarding said representation to said at least one user. The participation of the community members may be recorded and displayed in the website, for example, through detailed activity and participation reports and in Climate (community health) measures, and/or reported to the client or the ASP. [0015])

Claims 2 and 17: An article wherein the method further comprises the steps of:

-automatically determining if all meeting phases have been completed; (When the project is complete (as indicated by the project team leader), the team is disbanded and its content is archived. [0020])

If all meeting phases have been completed, terminating the meeting instance; (When the project is complete (as indicated by the project team leader), the team is disbanded and its content is archived. [0020])

If all meeting phases have not been completed, repeating steps b) - d) until all phases specified in said agenda are completed. (The convener determines the life cycle of the poll or vote, which is automatically archived when it expires. Users may access the polling and voting page to create, respond to, or view poll results from the navigation bar or the tool bar. Once a community member responds to a poll, he or she may view the results of that poll. Polls may be instantaneous, with the system displaying results as users vote. [0052])

Claims 3 and 18: An article wherein the step of depicting includes an indication of said at least one user's activity, based on a comparison of said activity with a criterion. (the invention is a method for incorporating institutional memory into an online activity. The method comprises providing a client server to receive input from activity participants and provide individualized output to each participant, receiving contributions from the activity participants, comparing a first characteristic of each contribution to contributions in an archived activity, and establishing a first cross-activity thread comprising contributions having a shared first characteristic. [0008])

Claims 4 and 19: An article wherein said user input is selected from the group comprising a query, a response, a text comment, and a task specification; and wherein said representation includes a handle to said input, which can later be used to retrieve said input. (The dialogue is a form of threaded discussion. However, the system may include a threaded discussion tool for use in other activities as well. The tool may allow the contributions to be categorized. The tool may also enable users to expand or contract a dialogue or thread to view the full text of the posting or just its title, and to sort contributions based on type, date, and contributor (in addition to the current default of topic). [0042])

Claims 5 and 20: An article including means for providing a dynamic determination of the next active phase based on at least one of results and analysis of participation of previous phase(s). (The dialogue is a form of threaded discussion. However, the system may include a threaded discussion tool for use in other activities as well. The tool may allow the contributions to be categorized. The tool may also enable users to expand or contract a dialogue or thread to view the full text of the posting or just its title,

and to sort contributions based on type, date, and contributor (in addition to the current default of topic). [0042])

Claims 6 and 21: An article wherein said at least one user is assigned a role and the type of input and associated phase in which input can be given is restricted by the role. (The use of keywords may be enabled or disabled on an enterprise level, and if enabled, can be made optional or mandatory. For example, if categories are enabled and required and keywords are enabled but optional, a participant who convenes a new activity would be required to assign this activity to at least one category. After selecting a category (and potentially, a subcategory), the participant would then be presented with a predefined list of keywords from which to choose, and be given the option to also assign keywords to this activity. Keywords are only defined by enterprise administrators, community facilitators, and project team leaders for their respective domains, but keywords may be assigned and searched on by any participant. [0029])

Claims 7 and 22: An article wherein an active phase is emphasized in a visual representation of the meeting. (The display of the existing conversations includes the topics and the participants for all chats currently underway. The community site may be customized to archive the chats by default or allow the chat convener to specify whether or not to archive it [0039]).

Claims 8 and 23: An article of providing a transition from one phase to an earlier phase in said agenda; and providing at least one of a graphic representation of one or more interactions of a given loop; and means for enabling said at least one user to review an earlier iteration of said loop. (The convener determines the life cycle of the poll or vote, which is automatically archived when it expires. Users may access the polling and voting page to create, respond to, or view poll results from the navigation bar or the tool bar. Once a community member responds to a poll, he or she may view the results of that poll. Polls may be instantaneous, with the system displaying results as users vote. [0052])

Claims 9 and 24: An article according to claim 1, wherein said representation includes both graphic and text section and where the content of said text section is automatically adjusted to match user selection of the point of focus in the graphic section. [0054])

Claims 10 and 25: An article according including showing in said graphic section said at least one user's visiting a previous or future phase. ([0033])

Claims 11 and 26: An article according to claim 9, including means for setting status of objects in said graphic representation to one or more of: Open/Locked; New Information/Seen; Glitter/No Glitter. (this inherent step has been created or programmed by the applicant)

Claim 12: A system for providing an instance of an online collaborative meeting for at least one user, the system comprising: a) a database that provides persistent access to data; (0035, 0036, 0037, 0038] and [0055]) b) a server that enables the creation of an instance of an agenda driven meeting and that receives all meeting inputs, [0034] automatically tracks phases of said meeting, logs said inputs in said database, updates a representation of said instance, and forwards the representation to said at least one user; and c) a graphical user interface accessible to at least one client enabling said at least one user to enter an input and receive said representation. ([0034-0040])

Claim 13: A system wherein the server is a web-portal and said receiving and forwarding is performed using the HTTP protocol. ([0033])

Claim 14: A system further comprising an archiving component for creating an archive version of the completed meeting instance. ([0019])

Claim 15: A system wherein said graphical user interface further comprises means for: -a retrieval feature for said at least one user to retrieve said meeting archive; ([0035], [0036], [0037]) and at least one user to replay meeting instance, replay including at least one of the instances phases. ([0038] and [0039])

Claim 27: A method enabling a service organization to give a customer organization the ability to use Agenda-Driven Meetings, the method consisting of the following steps: ensuring the customer organization has the hardware and software required to host the Agenda-Driven Meeting service, including a database; determining meeting types that are useful for said customer organization; Adding templates for said meeting types to said database. (The convener determines the life cycle of the poll or vote, which is automatically archived when it expires. Users may access the polling and voting page to create, respond to, or view poll results from the navigation bar or the tool bar. Once a

community member responds to a poll, he or she may view the results of that poll. Polls may be instantaneous, with the system displaying results as users vote. [0052])

Claim 28: A system further comprising of the service organization providing at least one of said upgrades, or new templates useful to said customer. (The "What's New" section includes links to all content that has been updated or added since the last time a particular user logged in. The member may also view a list of members of his/her communities who are logged in. The list may include members' pictures and/or links to their profiles. [0033])

Claim 29: A method wherein said upgrades and additions are provided by said service organization to said customer organization periodically. (The "What's New" section includes links to all content that has been updated or added since the last time a particular user logged in. The member may also view a list of members of his/her communities who are logged in. The list may include members' pictures and/or links to their profiles. [0033])

Claim 30: An article including means for enabling a given user to participate in a given instance of an online meeting either synchronously or asynchronously. (Activities such as brainstorm, meetings, and action planning may also incorporate either synchronous or asynchronous chats outside of the caf setting. Once a user has joined a chat, a transcript of the chat is displayed on a separate page. The transcript includes a list and photos of the community members currently participating in the chat and abbreviated user profiles or links to the full user profiles. [0040])



### ***Conclusion***

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

Mitra Kianersi  
April/30/2008

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2145